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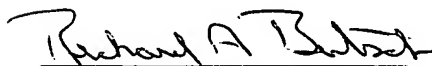
In re Application of	:	
Ira Ekhaus	:	
Serial No.: 10/823,524	:	DECISION ON PETITION
Filed: April 12, 2004	:	
For: Adjustable Exercise Ball	:	

This is in response to applicants' petition filed December 21, 2004, to make the above-identified application special under the provisions of 37 CFR 1.102(d), based on infringement.

Applicant has satisfied the provisions set forth in M.P.E.P. 708.02, II. Therefore the petition is **GRANTED**.

**The application will be forwarded to the examiner for action on the merits commensurate with this decision.**

Should there be any questions with regard to this letter please contact Richard Bertsch by letter addressed to the Director, Technology Center 3700, or by telephone at (571) 272-4050 or by facsimile transmission at (703) 872-9306.

  
Richard A. Bertsch, Director  
Technology Center 3700